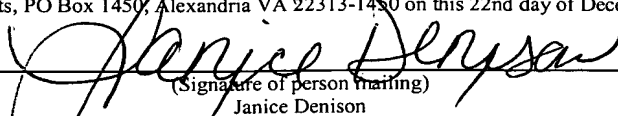




I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450 on this 22nd day of December, 2005.

By

  
(Signature of person mailing)  
Janice Denison  
(Typed or printed name of person)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Leah E. Appel, et al.

Examiner: Tran, Susan T.

APPLICATION NO.: 10/799,536

FILING DATE: March 11, 2004

:Group Art Unit: 1615

TITLE: Controlled Release By Extrusion of Solid Amorphous :  
Dispersions of Drugs

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Response And Amendment Under Rule 111

This is in response to the Office Action mailed on August 2, 2005 in the above-identified application, the term for response having been extended two (2) months by including the appropriate fee and petition herewith. Reconsideration and allowance are respectfully requested in light of the comments below.

REMARKS

As a preliminary matter, attention is directed to the Petition for Extension of Time of two months submitted herewith.

A current claim summary is presented as an addendum to this response, starting on its own separate sheet.

Claim 63 has been currently amended to state that the water permeable coating is non-dissolving and non-eroding, and that the coating has a delivery port formed in situ during use or by rupture during use. Support is in the specification at page 23, lines 23-26, and at page 51, lines 25-28 (Example 9).

Claims 49-68 and 70-77 continue to be rejected for obviousness type double patenting over claims 1, 2, 4, 15-45, 47-49 and 51-67 of US patent 6,706,283.

Applicants do not necessarily agree with the basis of the rejection as presented in the Office Action. However, in the interest of expediting prosecution, a suitable terminal disclaimer is included with this response to overcome the rejection. Withdrawal of the rejection is accordingly respectfully requested.